

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
(Boston Division)**

<b>UNITED STATES SECURITIES AND EXCHANGE COMMISSION,</b>	)	
	)	
	)	<b>Civil Action No. 05-CV-10983 (NMG)</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>STEVEN E. NOTHERN,</b>	)	
	)	
<b>Defendant.</b>	)	

**JOINT STATUS REPORT  
REGARDING THE PRODUCTION OF DOCUMENTS FROM  
OTHER GOVERNMENT DEPARTMENTS AND AGENCIES**

The parties submit this joint status report pursuant to the Court’s Order of October 3, 2006.

**A. Production from Treasury**

Since the parties’ last report, the Treasury Department (“Treasury”) has made one additional production of documents. Treasury has also stated that “[u]nless we face additional, unexpected challenges in searching for potentially responsive documents, we plan to complete our production related to your June 30 request by November 30, 2006.” The current deadline for non-expert discovery in this case is December 15, 2006.

In response to Mr. Nothern’s requests for Treasury to clarify the grounds on which it has redacted information, Treasury has stated that it will produce a privilege log when it completes its production. It is unclear whether Treasury is asserting privileges other than the attorney-client privilege.

**B. Production from CFTC**

The Commodities Futures Trading Commission has not yet confirmed whether its production is complete.

Dated: October 23, 2006

**FOR THE PLAINTIFF:**

/s/ Erica Y. Williams  
Erica Y. Williams  
John J. Rossetti, Jr.  
U.S. Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549-4010  
Phone: (202) 551-4450  
Fax: (202) 772-9245  
williamse@sec.gov

**FOR THE DEFENDANT:**

/s/ John A. Shope  
Nicholas C. Theodorou (BBO # 495730)  
John A. Shope (BBO # 562056)  
Robert E. Toone (BBO # 663249)  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210  
Phone: (617) 832-1000  
Fax: (617) 832-7000  
rtoone@foleyhoag.com